

§ 16. TEMPORARY CAPITAL.] Until the territorial capitol buildings shall be ready for occupancy as provided by this act, the territorial officers shall temporarily keep their offices, archives, books, records and papers at the city of Yankton, unless the Governor shall designate some other place by written order, in which case the said officers shall remove their respective offices, together with the archives, books, records and papers pertaining thereto to the place so designated within the time prescribed in such order.

§ 17. ACTS REPEALED.] Chapter one of the Political Code, and all acts or parts of acts in any manner in conflict with this act or repugnant thereto are hereby repealed.

§ 18. This act shall take effect and be in force from and after its passage and approval.

Approved, March 8, 1883.

Security.

CHAPTER 105.

AN ACT to Amend Section (197) of Article (4) of the Code of Civil Procedure.

Be it Enacted by the Legislative Assembly of Dakota Territory :

§ 1. SECURITY WHERE DEBTOR IS ABOUT TO REMOVE.] That section (197) of Article (4) of the Code of Civil Procedure be amended by adding to the end of said section the following words:

Provided further, That whenever any debtor residing in this Territory is about to remove from the county where he resides with the intention of permanently changing his or her place of residence, it shall be lawful for his or her creditors to demand of such debtor security for such debt and in case of failure or neglect to secure the same. Such creditor shall have the right of attachment against the property of such delinquent debtor under the provisions of law regulating attachment proceeding.

§ 2. This act shall take effect and be in force from and after its passage and approval.

ENDORSED.—Received at Executive Office, March 2d, 1883, at 4, P. M.

Note by the Secretary of the Territory.

The foregoing act having been presented to the Governor of the Territory for his approval, and not having been returned by him to the House of the Legislative Assembly in which it originated, within the time prescribed by the Organic Act, has become a law without his approval.

GEO. H. HAND,
Secretary of the Territory.

Service of Summons.

CHAPTER 106.

NON-RESIDENT ADMINISTRATOR TO APPOINT AGENT.

AN ACT to Provide for the Appointment of an Agent to Receive Service for a Non-resident Executor, Administrator or Guardian, and for other purposes.

Be it Enacted by the Legislative Assembly of the Territory of Dakota:

§ 1. NON-RESIDENT TO APPOINT AGENT UPON WHOM SUMMONS MAY BE SERVED.] Every executor, administrator or guardian appointed in, but residing out of the Territory, shall, before entering upon the duties of his trust, in writing, appoint an agent residing in the county where he is appointed, and shall by such writing stipulate and agree that the service of any legal process against him as such executor, administrator or guardian if made on said agent shall be of the same legal effect as if made on himself personally within the Territory. Such writing shall give the proper address of such agent and shall be filed in the office of the judge of the probate court where such appointment is made.

§ 2. NOTICE BY PUBLICATION—WHEN.] If any executor, administrator or guardian has absconded or conceals himself or has removed or absented himself from the Territory, notice may be given him of the pendency of any proceedings in which he is interested in any court by publication, in such manner as the court may direct, and the court may proceed upon such notice as if the citation had been personally served.

§ 3. This act shall take effect immediately.

Approved, March 9, 1883.